

AMENDED IN SENATE APRIL 26, 2005

AMENDED IN SENATE APRIL 13, 2005

SENATE BILL

No. 499

**Introduced by Senator Alarcon
(Coauthor: Senator Alquist)**

February 18, 2005

An act to add Section 1255.25 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 499, as amended, Alarcon. Hospitals: emergency medical services elimination.

Existing law generally requires any hospital that provides emergency medical services to, not later than 90 days prior to a planned reduction or elimination of the level of emergency medical services, provide notice of the intended change to the State Department of Health Services, the local government entity in charge of the provision of health services, and all health care service plans or other entities under contract with the hospital to provide services to enrollees of the plan or other entity. Violation of this requirement is a crime under existing law.

This bill would require a hospital, prior to issuing notice to the department of a planned elimination of emergency medical services or closure of the hospital, to prepare a public health and safety report, to submit that report to the county supervisors and the local emergency medical services agency, and to make the report available to the public. By changing the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1255.25 is added to the Health and
2 Safety Code, to read:
3 1255.25. (a) Prior to issuing notice to the department
4 pursuant to Section 1255.1 of a planned elimination of
5 emergency medical services or closure of the hospital, a hospital
6 shall prepare a public health and safety report.
7 (b) The hospital shall submit the report to the county
8 supervisors and the local emergency medical services agency,
9 and make the report available to the public.
10 (c) The report shall include, but not be limited to, an analysis
11 of the following:
12 (1) ~~Estimated number of relocated patient visits~~*The estimated*
13 *annual number of patients that the hospital or unit services.*
14 (2) ~~Effect on city and county emergency wait and trauma care~~
15 ~~time~~*The emergency and trauma care service capacity and*
16 *utilization.*
17 (3) ~~Diversion~~*The demographics of the patient population.*
18 (4) ~~Demographics of the affected area.~~
19 (5) ~~Economic stability of the hospital.~~
20 (4) *The economic stability of the hospital.*
21 (6)
22 (5) Notice of any viable plan to preserve the hospital as a
23 health care facility.
24 (7) ~~Number of negative flow rooms to be lost, the effect the~~
25 ~~loss of negative flow rooms will have on the community's ability~~
26 ~~to control the spread of contagious disease, and the effect on the~~
27 ~~community disaster preparedness plan.~~
28 (8) ~~Fiscal effect on businesses in the area served by the~~
29 ~~hospital.~~
30 (9) ~~Projected unemployment costs to the state due to the~~
31 ~~hospital closure.~~

1 ~~(10) Effect on the state nursing workforce if the hospital is~~
2 ~~unavailable as a clinical training ground for nursing students.~~

3 ~~(11) Impact on the hospital service area's acute care bed~~
4 ~~capacity.~~

5 ~~(12) Estimated number of patient days per year that will be~~
6 ~~displaced into the hospital service area based on the most recent~~
7 ~~years' admissions and discharges.~~

8 *(6) The number of negative-flow rooms that the hospital or*
9 *unit has.*

10 *(7) The hospital's or unit's role in the community's disaster*
11 *preparedness plan.*

12 *(8) The number of displaced employees due to service*
13 *elimination or hospital closure, including the occupation of each.*

14 *(9) The number of nursing students currently working in the*
15 *hospital or unit.*

16 *(10) The hospital's acute care bed capacity.*

17 *(11) The annual number of patient days based on the most*
18 *recent year's admissions and discharges.*

19 (d) A county may use the results of the public health and
20 safety report in preparing the county's impact evaluation
21 pursuant to Section 1300.

22 (e) A hospital shall not seek approval for elimination of
23 emergency medical services prior to submitting the report as
24 required by subdivision (b).

25 SEC. 2. No reimbursement is required by this act pursuant to
26 Section 6 of Article XIII B of the California Constitution because
27 the only costs that may be incurred by a local agency or school
28 district will be incurred because this act creates a new crime or
29 infraction, eliminates a crime or infraction, or changes the
30 penalty for a crime or infraction, within the meaning of Section
31 17556 of the Government Code, or changes the definition of a
32 crime within the meaning of Section 6 of Article XIII B of the
33 California Constitution.